

Montana State Legislature

2013 Session

Additional Documents include:

- *Business Report**
- *Roll Call- attendance**
- *Standing Committee Reports,**
- *Table Bills, Fiscal reports etc.**
- *Roll Call Votes**
- *Witness Statements**
- *Informational items**
- *Visitor Registrations**
- *Any other Documents;**
 - ~Petitions if any?**
 - ~Any and all material handed in after the meeting end.**

**The original is on file at the
Montana Historical Society and
may be viewed there.**

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BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
63rd LEGISLATURE - REGULAR SESSION**

HOUSE EDUCATION COMMITTEE

Date: Wednesday, February 20, 2013
Place: Capitol

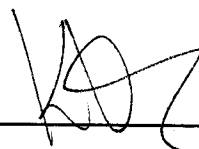
Time: 3:00 PM
Room: 137

BILLS and RESOLUTIONS HEARD:

EXECUTIVE ACTION TAKEN:

HB 39
HB 378
HB 447
HB 457
HB 166
HB 390
HB 453

Comments:

A handwritten signature in black ink, appearing to be 'Kris Hansen', written over a horizontal line.

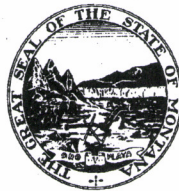
REP. Kris Hansen, Chair

HOUSE OF REPRESENTATIVES
Roll Call
EDUCATION COMMITTEE

DATE: 2/20/2013

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/EXCUSED</u>
REP. KRISTIN HANSEN, CHAIR	X	
REP. JOANNE BLYTON, VICE CHAIR	X	
REP. EDIE MCCLAFFERTY, VICE CHAIR	X	
REP. BRYCE BENNETT	X	
SPEAKER BLASDEL		X
REP. CLARENA BROCKIE	X	
REP. DOUGLAS COFFIN	X	
REP. EDWARD GREEF	X	
REP. DAVID HALVORSON	X	
REP. GREG HERTZ	X	
REP. SARAH LASZLOFFY	X	
REP. JONATHAN MCNIVEN	X	
REP. JEAN PRICE	X	
REP. DAN SALOMON	X	
REP. CASEY SCHREINER	X	
REP. NICHOLAS SCHWADERER		X
REP. TED WASHBURN	X	
REP. FRANKE WILMER	X	

Marissa



HOUSE STANDING COMMITTEE REPORT

February 20, 2013
Page 1 of 1

Mr. Speaker:

We, your committee on **Education** recommend that **House Bill 378** (first reading copy -- white) **do pass as amended.**

Signed: _____

Representative Kris Hansen, Chair

And, that such amendments read:

1. Title, line 7.

Following: "PAYMENT;"

Insert: "PROVIDING AN APPROPRIATION;"

2. Page 4, line 8.

Insert: "NEW SECTION. **Section 2. Appropriation.** There is appropriated to the office of public instruction the amount of \$1 from the general fund for fiscal year 2014 for the purposes of [section 1]."

Renumber: subsequent section

- END -

Committee Vote:

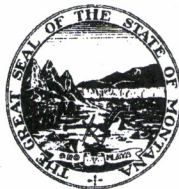
Yes 18, No 0

Fiscal Note Required ____

HB0378001SC.hjk

DL 2.21.13
9:30

Marissa



HOUSE STANDING COMMITTEE REPORT


February 20, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Education** recommend that **House Bill 457** (first reading copy -- white) **do pass.**

Signed: _____


Representative Kris Hansen, Chair

- END -

Committee Vote:

Yes 17, No 1

Fiscal Note Required ☐

HB0457001SC.hjk

DC 2.21.13
9:30



Marissa
Room 475

HOUSE STANDING COMMITTEE REPORT

February 20, 2013

Page 1 of 3

Mr. Speaker:

We, your committee on **Education** recommend that **House Bill 39** (first reading copy -- white) **do pass as amended.**

Signed: 

Representative Kris Hansen, Chair

And, that such amendments read:

1. Title, page 1, line 10 through line 12.

Strike: "REVISING THE ALLOCATION" on line 10 through "ACCOUNT;" on line 12

2. Title, page 1, line 15.

Strike: "20-9-310" through "20-9-517,"

Following: "PROVIDING"

Insert: "AN"

3. Title, page 1, line 16.

Strike: "DATES,"

Insert: "DATE AND"

Strike: ", AND A TERMINATION DATE"

4. Page 1, line 26 through line 27.

Strike: "by April" on line 26 through "applies." on line 27

Insert: "and must include a provision specifying terms upon which a district may exit the multidistrict cooperative. The agreement may be for a period of up to 3 years."

5. Page 3, line 8 through line 12.

Strike: "as follows" on line 8 through "." on line 12

Committee Vote:

Yes 17, No 1

Fiscal Note Required ☐

HB0039001SC.hjk

DC 9130
2-21-13

Insert: "to the school facility and technology account."

6. Page 4, line 1.

Strike: "(5) and"

Following: "(6)"

Insert: "and (7)"

7. Page 4, line 6.

Strike: "(5)"

Insert: "(6)"

8. Page 4, following line 10.

Insert: "(5) Any unreserved fund balance in excess of 15% of a school district's maximum general fund budget must be remitted to the state and allocated to the school facility and technology account."

Renumber: subsequent subsections

9. Page 4, line 19.

Insert: "(8) Any amounts remitted to the state under subsection (5) are not considered expenditures to be applied against budget authority."

10. Page 5, line 17.

Strike: "state or"

11. Page 5, line 18.

Strike: "state or"

12. Page 7, line 15 through page 11, line 21.

Strike: section 5 through section 8 in their entirety

Renumber: subsequent sections

13. Page 11, line 24.

Strike: "(Temporary)"

14. Page 11, line 25.

Strike: "(6)"

Insert: "(7)"

15. Page 11, line 27.

Strike: "(6)"

Insert: "(7)"

16. Page 11, line 30.

Strike: "30%"

Insert: "50%"

17. Page 12, line 2.

Strike: "\$50"

Insert: "\$65"

18. Page 12, line 12.

Strike: "governing body of the"

Following: "county"

Insert: "treasurer"

19. Page 12, line 13 through 14.

Following: "in the county"

Insert: "based on the ratio that each district's average number belonging bears to the county average number belonging for the school year. A school district receiving this money may deposit the funds in any budgeted fund of the district at the discretion of the trustees"

Strike: "The county" on line 13 through "appropriate." on line 14

20. Page 13, line 3.

Strike: section 10 in its entirety

Renumber: subsequent sections

21. Page 14, line 22 through 24.

Strike: "dates"

Insert: "date"

Strike: "(1) Except" through "[this act]"

Insert: "[This act]"

Strike: subsection (2) in its entirety

22. Page 14, line 29.

Strike: section 14 in its entirety

- END -



Marissa
Room 475

HOUSE STANDING COMMITTEE REPORT

February 20, 2013

Page 1 of 5

Mr. Speaker:

We, your committee on **Education** recommend that **House Bill 313** (first reading copy -- white) do pass as amended.

Signed: KH

Representative Kris Hansen, Chair

And, that such amendments read:

1. Title, page 1, line 4.

Following: "LAWS"

Insert: " ; "

Strike: "TO PROVIDE AND CLARIFY"

Insert: "CLARIFYING"

2. Title, page 1, line 6.

Following: "SECTIONS"

Insert: "20-5-104, 20-5-105, "

Following: "20-5-106"

Insert: " , "

3. Title, page 1, line 7.

Strike: "IMMEDIATE"

4. Page 1, following line 9.

Insert: "Section 1. Section 20-5-104, MCA, is amended to read:

"20-5-104. **Attendance officer.** In order to enforce the compulsory attendance provisions of this title, each district shall have at least one person serving as an attendance officer according to the following requirements:

(1) districts of the first and second class and districts of the second class with a dropout rate higher than the statewide

Committee Vote:

Yes 18, No 0

Fiscal Note Required ☐

HB0313001SC.hjk

DC 2-21-13
9:30

average dropout rate as calculated by the office of public instruction shall ~~employ and~~ appoint one or more of the district's staff as attendance officers;

(2) districts of the second class with a dropout rate at or below the statewide average dropout rate as calculated by the office of public instruction and districts of the third class may ~~employ and~~ appoint an one or more of the district's staff as attendance officer or may appoint a constable or other peace officer as an attendance officer officers; or

(3) the county superintendent ~~shall~~ must be the attendance officer in second class or third-class districts that do not appoint an attendance officer."

Insert: "Section 2. Section 20-5-105, MCA, is amended to read:

"20-5-105. Attendance officer -- powers and duties. The attendance officer of a district:

(1) must, subject to district policy, be vested with police powers, the authority to serve warrants, and the authority to enter places of employment of children in order to enforce the compulsory attendance provisions of this title;

(2) ~~shall~~ may, subject to district policy, take into custody any child subject to compulsory attendance who is not excused under the provisions of this title and conduct the child to the school in which the child is or should be enrolled;

(3) ~~shall~~ may, subject to district policy, do whatever else is required to investigate and enforce the compulsory attendance provisions of this title and the pupil attendance policies of the trustees;

(4) ~~shall~~ may, subject to district policy, institute proceedings against any parent, guardian, or other person violating the compulsory attendance provisions of this title;

(5) ~~shall~~ may, subject to district policy, keep a record of transactions for the inspection and information of the trustees and shall make reports in the manner and to whomever the trustees designate; and

(6) ~~shall~~ may, subject to district policy, perform any other duties prescribed by the trustees to preserve the morals and secure good conduct of the pupils of the district."

Renumber: subsequent sections

5. Page 1, line 12.

Following: "means the"

Insert: "persistent"

6. Page 1, line 13.

Following: "excuse"

Insert: ", as defined by district policy,"

Strike: "or period"

Following: "day"

Insert: "equivalent to the length of one class period"

7. Page 1, line 14.

Following: "child"

Insert: "is"

8. Page 1, line 16 through line 17.

Strike: "on 3" on line 16 through "shall" in line 17

Insert: ", the attendance officer may"

9. Page 1, line 19.

Strike: "person's"

Following: "prosecution"

Insert: "of the parent, guardian, or other person responsible for
the care of the child"

10. Page 1, line 21.

Strike: "person has received the notice or"

Insert: "attendance officer has made"

Strike: "person has been made"

Insert: "parent, guardian, or other person responsible for the
care of the child"

11. Page 1, line 22.

Strike: "shall" through "or"

Insert: "may"

12. Page 1, line 23.

Strike: "person"

Insert: "parent, guardian, or other person responsible for the
care of the child"

Following: "and"

Insert: "the"

Following: "plan"

Insert: "to address and resolve the truancy"

13. Page 1, line 24.

Strike: "person and child fail"

Insert: "parent, guardian, or other person responsible for the
care of the child fails"

Strike: "comply with"

Insert: "fails to uphold the responsibilities under"

14. Page 1, line 25.

Strike: "shall" through "jurisdiction"

Insert: "may refer the matter to the prosecuting attorney in a court of competent jurisdiction for a determination regarding whether to prosecute the parent, guardian, or other person responsible for the care of the child"

15. Page 1, line 26.

Strike: "less" through "or"

Following: "\$100,"

Insert: "ordered to perform up to 20 hours of community service,"

16. Page 1, line 27.

Strike: "required" through "day,"

17. Page 1, line 29 through line 30.

Strike: "to" on line 29 through "that school" on line 30

Insert: "to cooperate with the district in implementing the truancy plan provided for in subsection (2)"

18. Page 2, line 1.

Strike: "refuses" through "court,"

Insert: "fails to comply with an order of the court issued under subsection (3) (a),"

19. Page 2, line 2.

Strike: "shall"

Insert: "may"

Strike: "less than 10 days or"

Strike: "30"

Insert: "3"

20. Page 2, line 3 through line 4.

Strike: subsection (4) in its entirety

Renumber: subsequent subsections

21. Page 2, line 5.

Strike: "the penalties" through "and"

22. Page 2, line 6.

Strike: "10"

Insert: "9"
Strike: "50"
Insert: "54"
Strike: "or periods"

23. Page 2, line 8.

Strike: "An"

Insert: "Following a referral to youth court under subsection
(4)(a), an"

24. Page 4, line 9.

Strike: "10"

Insert: "9"

Strike: "50"

Insert: "54"

25. Page 4, line 10.

Strike: "or periods"

Following: "day"

Insert: ", whichever is less,"

26. Page 7, line 19.

Strike: "on passage and approval"

Insert: "July 1, 2013"

- END -



Marissa

HOUSE STANDING COMMITTEE REPORT

February 20, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Education** recommend that **House Bill 447** (first reading copy -- white) **do pass as amended.**

Signed: _____

Representative Kris Hansen, Chair

And, that such amendments read:

1. Page 1, line 16.

Strike: "native"

Insert: "resident"

2. Page 1, line 20.

Strike: "\$2,500"

Insert: "\$500"

3. Page 2, line 1 through line 2.

Strike: "board" on line 1 through "\$250,000" on line 2

Insert: "department of military affairs \$50,000 for the biennium ending June 30, 2015"

- END -

Committee Vote:

Yes 17, No 1

Fiscal Note Required ☐

HB0447001SC.hjk

2-21-13 bc
9:30

BILL TABLED NOTICE

HOUSE EDUCATION COMMITTEE

The **HOUSE EDUCATION COMMITTEE** TABLED

HB 166 - Redirect lottery proceeds to Montana university system student aid - Rep.

Amanda Curtis

HB 390 - Provide special education scholarships - Rep. Jonathan McNiven

HB 453 - Constitutional amendment regarding affordable postsecondary education in Montana - Rep. Douglas Coffin

, by motion, on **Wednesday, February 20, 2013.**

Marissa Stockton

(For the Committee)

DC

(For the Chief Clerk of the House)

12:00 / 2-21

(Time) (Date)

February 20, 2013 (4:38pm)

Marissa Stockton, Secretary

Phone: 444-1864

HOUSE OF REPRESENTATIVES
Roll Call Vote
EDUCATION COMMITTEE

DATE: 2/26/2013 BILL NO. HB 390 MOTION NO. _____
 MOTION: DO PASS

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JOANNE BLYTON, VICE CHAIR	X		
REP. EDIE MCCLAFFERTY, VICE CHAIR		X	
REP. BRYCE BENNET		X	
SPEAKER BLASDEL	X		X
REP. CLARENA BROCKIE		X	
REP. DOUGLAS COFFIN		X	
REP. EDWARD GREEF		X	
REP. DAVID HALVORSON	X		
REP. GREG HERTZ		X	
REP. SARAH LASZLOFFY	X		
REP. JONATHAN MCNIVEN	X		
REP. JEAN PRICE		X	
REP. DAN SALOMON		X	
REP. CASEY SCHREINER		X	
REP. NICHOLAS SCHWADERER	X		X
REP. TED WASHBURN	X		
REP. FRANKE WILMER		X	
REP. KRISTIN HANSEN, CHAIR	X		

HOUSE OF REPRESENTATIVES
Roll Call Vote
EDUCATION COMMITTEE

DATE: 2/20/2013 BILL NO. HB 453 MOTION NO. _____
 MOTION: DO PASS

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JOANNE BLYTON, VICE CHAIR		X	
REP. EDIE MCCLAFFERTY, VICE CHAIR	X		
REP. BRYCE BENNET	X		
SPEAKER BLASDEL		X	X
REP. CLARENA BROCKIE	X		
REP. DOUGLAS COFFIN	X		
REP. EDWARD GREEF		X	
REP. DAVID HALVORSON		X	
REP. GREG HERTZ		X	
REP. SARAH LASZLOFFY		X	
REP. JONATHAN MCNIVEN		X	
REP. JEAN PRICE	X		
REP. DAN SALOMON		X	
REP. CASEY SCHREINER	X		
REP. NICHOLAS SCHWADERER		X	X
REP. TED WASHBURN		X	
REP. FRANKE WILMER	X		
REP. KRISTIN HANSEN, CHAIR		X	

HOUSE OF REPRESENTATIVES
Roll Call Vote
EDUCATION COMMITTEE

DATE: 2/20/2013 BILL NO HB 164 MOTION NO. _____
 MOTION: DO Pass

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JOANNE BLYTON, VICE CHAIR		X	
REP. EDIE MCCLAFFERTY, VICE CHAIR	X		
REP. BRYCE BENNET	X		
SPEAKER BLASDEL		X	X
REP. CLARENA BROCKIE	X		
REP. DOUGLAS COFFIN	X		
REP. EDWARD GREEF		X	
REP. DAVID HALVORSON		X	
REP. GREG HERTZ		X	
REP. SARAH LASZLOFFY		X	
REP. JONATHAN MCNIVEN		X	
REP. JEAN PRICE	X		
REP. DAN SALOMON		X	
REP. CASEY SCHREINER	X		
REP. NICHOLAS SCHWADERER		X	X
REP. TED WASHBURN		X	
REP. FRANKE WILMER	X		
REP. KRISTIN HANSEN, CHAIR		X	

Blas del

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Education

Committee because of other commitments. I desire to leave my proxy vote with:

V Chair Bligh

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

BILL/AMENDMENT

AYE NO

<i>HB 378</i>	<i>ash</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>HB 378H B037801</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>HB 444 H B044445</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>HB 447</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>HB 457</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>HB 390</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>HB 390 Tabled</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>HB 39 HB03902ab</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>HB 39</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>HB 453</i>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>HB 453 Tabled</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>HB 166 Tabled</i>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>HB 313 HB031303ab</i>		<input type="checkbox"/>	<input type="checkbox"/>
<i>HB 313</i>		<input type="checkbox"/>	<input type="checkbox"/>

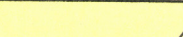
Rep. *[Signature]*
(Signature)

Date 2/20/13

**AUTHORIZED
COMMITTEE PROXY**

V Chair Blynn

[illegible]

Rep.  (Signature)

Date 2 / 20 / 13

MONTANA House of Representatives
Visitors Register
HOUSE EDUCATION COMMITTEE

Wednesday, February 20, 2013

Sponsor: No Bills to be Heard

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.